

REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed September 25, 2003. Claims 1-47 are pending in the present application. The Examiner rejects Claims 1-47. For the reasons set forth below, Applicants respectfully traverse with these rejections.

Rejections Under §112

The Examiner rejects to Claims 16-17 and 20 under U.S.C. §112, second paragraph, as being indefinite for failing to particularly point of and distinctly claim the subject matter which Applicants regard as the invention. Applicants have amended Claims 16-17 and 20 to correct the antecedent basis issues pointed out by the Examiner. Therefore, Applicants respectfully request that these rejections be withdrawn.

Rejections Under §102

The Examiner rejects 1, 3, 6, 11-15, 17-18, 20, 22, 24, 29-30, 32, 34-37, 39, 41, 43-44, and 46 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,320,877 issued to Humphrey, et al. ("Humphrey"). For the reason set forth below, Applicants respectfully disagree with these rejections.

Independent Claims 1, 14, 18, 25, 29, 37, and 43 are Allowable over Humphrey

Claim 1 of the present application recites:

A synchronous bus for a telecommunications node, the bus comprising:

 a frame repeating at a defined interval;

 each frame comprising a plurality of service channels;

 a first plurality of service channels in at least one frame each transporting traffic for a DS-0 connection, every service channel in the first plurality of service channels comprising a current channel associated signaling (CAS) value for the DS-0 connection; and

 a second plurality of service channels in the frame together transporting an asynchronous transfer mode (ATM) cell.

Claims 14, 18, 25, 29, 37, and 43, as amended, recite similar, although not identical, limitations.

Amended Claim 1 incorporates the limitations of cancelled Claim 5. Specifically, amended Claim 1 recites a first plurality of service channels in at least one frame transporting traffic for a DS-0 connection in which every service channel in the first plurality of service channels includes a current channel associated signaling (CAS) value for the DS-0 connection. Claims 14, 18, 25, 29, 37, and 43, as amended, recite similar, although not identical, limitations.

In the preceding Office Action (mailed 9/25/03), the Examiner rejected Claim 5 under 35 U.S.C. §103(a) as being unpatentable over *Humphrey* in view of U.S. Patent 5,398,234 issued to O'Connell ("O'Connell"). The Examiner concedes that *Humphrey* does not disclose every service channel transporting traffic for a DS-0 connection comprising a current channel associated signaling (CAS) value for the DS-0 connection. However, the Examiner states that *O'Connell* discloses a DS-0 connection with a CAS value in every service channel (Office Action mailed 9/25/03, page 10, ¶8, citing *O'Connell*, Abstract, Col. 1, Lines 1-30). While *O'Connell* discloses CAS information associated with DS-0 channels, the reference fails to disclose every service channel transporting traffic for a DS-0 connection comprising a current channel associated signaling (CAS) value for the DS-0 connection, as disclosed in amended Claim 1, and similarly, although not identically, in amended Claims 14, 18, 25, 29, 37, and 43.

In addition, amended Claim 1 recites, in part, a plurality of service channels in the frame together transporting an asynchronous transfer mode (ATM) cell. Claims 14, 18, 25, 29, 37, and 43, as amended, recite similar, although not identical, limitations. *Humphrey* fails to disclose a plurality of service channels in a frame together transporting an ATM cell. Rather, as pointed-out by the Examiner in the preceding Office Action, *Humphrey* discloses a single bus slot that carries ATM data. (Office Action mailed 9/25/03, page 22, ¶1, citing *Humphrey*, Col. 15, Lines 50-60).

For at least these reasons, independent Claims 1, 14, 18, 25, 29, 37, and 43, as amended, are allowable over the cited references. Therefore, Applicants respectfully request reconsideration and allowance of Claims 1, 14, 18, 25, 29, 37, and 43, as well as all claims that depend from these claims.

Dependent Claims 6, 22, and 41 are Allowable over Humphrey

Dependent Claim 6, through its dependence on amended Claim 1, recites that an ATM cell is transported in a block of contiguous service channels. Dependent Claims 22 and 41, as amended, recite similar, although not identical, limitations. The Examiner states that *Humphrey* discloses this limitation. (Office Action mailed 9/25/03, page 3, ¶4, page 5, ¶3, and page 8, ¶1, citing *Humphrey*, Figure 12, Col. 15; Lines 50-60, Col. 18, Lines 50-60, respectively). *Humphrey* merely discloses that each bus slot carries a datagram containing 64 bytes and that STM datagrams carry DS-0 data while ATM datagrams carry ATM data. However, *Humphrey* fails to disclose that an ATM cell is transported in a *block of contiguous service channels*, as recited in Claim 6, and similarly, although not identically, in Claims 22 and 41.

For at least this additional reason, dependent Claims 6, 22, and 41 are allowable over the cited references. Therefore, Applicants respectfully request reconsideration and allowance of dependent Claims 6, 22, and 41.

Rejections Under §103

The Examiner rejects Claims 2, 7, 19, and 38 under 35 U.S.C. §103(a) as being unpatentable over *Humphrey* in view of U.S. Patent 5,594,576 issued to Sutherland, et al. ("*Sutherland*"). The Examiner rejects Claims 4-5, 21, 25-26, 31, and 40 under 35 U.S.C. §103(a) as being unpatentable over *Humphrey* in view of U.S. Patent 5,398,234 issued to O'Connell ("*O'Connell*"). The Examiner rejects Claims 8-9, 16, 23, 33, and 42 under 35 U.S.C. §103(a) as being unpatentable over *Humphrey* in view of U.S. Patent 6,009,106 issued to Rustad, et al. ("*Rustad*"). The Examiner rejects Claim 10 under 35 U.S.C. §103(a) as being unpatentable over *Humphrey* and *Rustad* in further view of *Sutherland*. The Examiner rejects Claims 27-28 under 35 U.S.C. §103(a) as being unpatentable over *Humphrey* and *O'Connell* in further view of *Rustad*. The Examiner rejects Claims 34-36, 43, 44 and 46 under 35 U.S.C. §103(a) as being unpatentable over *Humphrey* view of U.S. Patent 5,862,136 issued to Irwin ("*Irwin*"). The Examiner rejects Claim 45 under 35 U.S.C. §103(a) as being unpatentable over *Humphrey* and *Irwin* in further view of *O'Connell*. The Examiner rejects Claim 47 under 35 U.S.C. §103(a) as being unpatentable over *Humphrey* and *Irwin* in further view of *Rustad*. For the reasons set forth below, Applicants respectfully disagree with these rejections.

Claims 4-5, 21, 31, 34-36, 40, and 44-46 have been cancelled. The §103 rejections with respect to Claims 4, 21, 31, 34-36, 40, and 44-46 are considered moot in light of the cancellation of these claims. The §103 rejection of Claim 5 has been discussed above with reference to amended Claim 1. Claim 43 is allowable for the reasons discussed above. Therefore, §103 rejections remain for Claims 2, 7-10, 16, 19, 23, 25-28, 33, 38, 42, and 47. For the reasons set forth below, Applicants respectfully disagree with these rejections.

A *prima facie* case of obviousness cannot be maintained here because neither *Humphrey* nor *Sutherland, O'Connell, Rustad, or Irwin*, whether considered alone or in combination, teach or suggest all of the elements Claims 2, 7-10, 16, 19, 23, 25-28, 33, 38, 42, and 47. In order to establish a *prima facie* case of obviousness, three criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference, or the combination of references, must teach or suggest all of the claim limitations. *See* M.P.E.P. §2143.

Independent Claim 25 is Allowable over Humphrey in view of O'Connell

As discussed above, Claim 25 is allowable because *Humphrey* fails to disclose: (1) a first plurality of service channels each transporting traffic for a DS-0 connection where every service channel in the first plurality of service channels includes a current channel associated signaling (CAS) value for the DS-0 connection, and (2) a second plurality of service channels together forming a block of contiguous service channels transporting an asynchronous transfer mode (ATM) cell. In addition to these reasons for allowance, Claim 25 is also allowable because *Humphrey* in view of *O'Connell* fails to disclose a block of contiguous service channels transporting an ATM cell, as recited, in part, by Claim 25. The Examiner states that *Humphrey* discloses this limitation. (Office Action mailed 9/25/03, page 11, ¶2, citing *Humphrey*, Col. 14; Lines 25-35. *Humphrey* merely discloses that each bus slot carries a datagram containing 64 bytes and that STM datagrams carry DS-0 data while ATM datagrams carry ATM data. However, *Humphrey* fails to disclose that an ATM cell is transported in a *block of contiguous service channels*, as recited in Claim 25.

For at least this additional reason, Claim 25 is allowable over the cited references. Therefore, Applicants respectfully request reconsideration and allowance of Claim 25, as well as all claims that depend from claim 25.

Dependent Claims 2, 7-10, 16, 19, 23, 26-28, 33, 38, 42, and 47 are Allowable over the Cited References

With respect to Claims 2, 7-10, 16, 19, 23, 26-28, 33, 38, 42, and 47, neither *Humphrey* nor *Sutherland, O'Connell, Rustad, or Irwin*, whether considered alone or in combination, teach or suggest all of the elements of these claims. These claims depend from, and incorporate all of the limitations of, allowable independent claims, as discussed above. In particular, *Humphrey* fails to disclose every service channel transporting traffic for a DS-0 connection comprising a current channel associated signaling (CAS) value for the DS-0 connection, as recited in amended Claim 1, and similarly, although not identically, in independent Claims 14, 18, 25, 29, 37, and 43. Furthermore, *Sutherland, O'Connell, Rustad, and Irwin* are silent as to this limitation. Therefore, Claims 2, 7-10, 16, 19, 23, 26-28, 33, 38, 42, and 47 are allowable because they contain a limitation not disclosed by the cited references. As such, a *prima facie* case of obviousness cannot be maintained for these claims.

For at least this additional reason, Claims 2, 7-10, 16, 19, 23, 26-28, 33, 38, and 42, and 47 are allowable over the cited references. Therefore, Applicants respectfully request reconsideration and allowance these Claims.

CONCLUSION

Applicants have made an earnest attempt to place this application in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request reconsideration and full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this application in any manner, the Examiner is invited to contact Brian W. Oaks, Attorney for Applicants, at the Examiner's convenience at (214) 953-6986.

Although Applicants believe that no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts, L.L.P.

Respectfully submitted,

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